

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

EDWIN JAMES BITTNER

Plaintiff,

v.

OPTOS, INC.,

Defendant.

CIVIL ACTION NO. 04-12465MLW

DEFENDANT OPTOS, INC.'S WITHHOLDING OF  
CONSENT TO TRANSFER OF CASE TO MAGISTRATE JUDGE

By Order dated March 8, 2005, the Court set a March 25, 2005 deadline for the parties to decide whether to consent to the transfer of this case to a Magistrate Judge for all purposes. Defendant Optos, Inc. respectfully declines the opportunity to have the case reassigned to a Magistrate Judge and does not consent to the transfer of the case.

Respectfully submitted,

**OPTOS, INC.**

By their attorneys,



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Dated: March 16, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the  
above document was served upon the  
attorney on record for each other party by  
mail/hand delivery on:

AP. J.

3/16/05